

-4-

Cade et al.
Application No. 09/733,685

REMARKS

In response to the Restriction/Election Requirement, Applicants have elected claim group I without traverse. Applicants have also been required to select nucleic acids encoding a single amino acid sequence for the elected group. Applicants have accordingly elected nucleic acids encoding SEQ ID NO:2 (of which SEQ ID NO:1 is an example) without traverse.

Claims 2, 3, 6, and 12 have been amended and non-elected claims 14-20 have been canceled. Claims 1, 4, and 5 have also been canceled. New claims 21-28 have been added. Therefore, the pending claims are 2, 3, 6-13, and 21-28. Attached hereto are marked-up versions of the changes made to the claims by the current amendment. The attached pages are captioned **"Version With Markings To Show Changes Made."** Entry of the amendments is respectfully requested.

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Respectfully submitted,



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Version With Markings To Show Changes Made***In the claims***

Claims 2, 3, 6, and 12 have been amended as follows:

2. (Amended) An isolated nucleic acid molecule [according to claim 1,] comprising a nucleotide sequence that encodes SEQ ID NO:2 [, SEQ ID NO:5, SEQ ID NO:7, or SEQ ID NO:23].
3. (Amended) An isolated nucleic acid molecule according to claim 2 [1], comprising the coding region of SEQ ID NO:1 [, SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:6, or SEQ ID NO:22].
6. (Amended) A chimeric gene comprising a promoter active in plants operatively linked to the nucleic acid molecule of claim 2 [1].
12. (Amended) Transgenic [S]seed from a transgenic plant according to claim 10.

The following new claims 21-28 have been added:

21. (New) A chimeric gene comprising a promoter active in plants operatively linked to the nucleic acid molecule of claim 3.
22. (New) A recombinant vector comprising the chimeric gene of claim 21.
23. (New) A transgenic host cell comprising the chimeric gene of claim 21.
24. (New) A transgenic host cell according to claim 23, which is a transgenic plant cell.

25. (New) A transgenic plant comprising the transgenic plant cell of claim 24.
26. (New) The transgenic plant of claim 25, which is selected from the group consisting of: rice, wheat, barley, rye, rape, corn, potato, carrot, sweet potato, sugar beet, bean, pea, chicory, lettuce, cabbage, cauliflower, broccoli, turnip, radish, spinach, asparagus, onion, garlic, eggplant, pepper, celery, squash, pumpkin, cucumber, apple, pear, quince, melon, plum, cherry, peach, nectarine, apricot, strawberry, grape, raspberry, blackberry, pineapple, avocado, papaya, mango, banana, soybean, tobacco, tomato, sorghum, and sugarcane.
27. (New) Transgenic seed from a transgenic plant according to claim 25.
28. (New) A method of increasing SAR gene expression in a plant, comprising expressing the chimeric gene according to claim 21 in the plant.